

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

plicant: Paek et al.

Serial No.: 09/830,899

Group Art Unit: 2171

Filed:

August 13, 2001

Examiner:

Leroux, Etienne Pierre

Title:

DESCRIPTION SCHEMES FOR MPEG-7 IMAGE/VIDEO

CONTENTS DESCRIPTION

# NOTICE OF APPEAL FROM PRIMARY EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCE

I hereby certify that this paper is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450

on 10/14/05
Date of Deposit

Robert L. Maier 54,291
PTO Registration No.

BOX AF Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner, mailed July 5, 2005, finally rejecting pending claims 1-43. A Response After Final and a Pre-Appeal Brief Request for Review are filed concurrently herewith.

The items checked below are appropriate:

10/18/2005 RMEBRAHT 00000042 09830899

1. STATUS OF APPLICANT 02 FC:2401 250.00 OP

This application is on behalf of

other than a small entitysmall entity

NY02:531302.1

## 2. FEE FOR FILING NOTICE OF APPEAL

Pursuant to 37 C.F.R. 1.17(e) the fee for filing the Notice of Appeal is

[X]	small entity	\$ 250.00
'n	other than a small entity	\$ 500.00

Notice of Appeal

Fee Due: \$ 250

# 3. EXTENSION OF TERM

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply.

(a)[X] Applicant petitions for an extension of time under 37 CFR 1.136 (check below the total number of months of extension requested):

	Extension	Fee for other than	Fee for
	(months)	small entity	small entity
[X]	one month	\$120.00	\$ 60.00
	two months	450.00	255.00
Ñ	three months	1,020.00	510.00
Ō	four months	1,590.00	795.00
ñ	five months	2,160	1,080

(check and complete the next item, if applicable)

[] An extension for \_\_\_ months has already been secured and the fee paid therefor of \$ is deducted from the total fee due for the total months of extension now requested.

or

(b)[] In the event that an extension of time is required, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

#### 4. TOTAL FEE DUE

The total fee due is:

Notice of Appeal fee \$250.00\*

\*Applicant has not included the fee for the requested extension of time, since that fee is already paid in connection with a concurrently-filed Response After Final and, accordingly, Applicant believes that no additional fees are due in connection with this Notice of Appeal.

TOTAL FEE DUE \$250.00

- 5. FEE PAYMENT
  - [X] Attached is a check in the sums of \$250.
  - [] Charge Deposit Account No. 02-4377.
- 6. FEE DEFICIENCY
  - [X] The Commissioner is hereby authorized to charge payment of any additional fees required associated with this communication to Deposit Account No. 02-4377. Two copies of this sheet are provided for this purpose.

Respectfully submitted,

Paul A. Ragusa

PTO Reg. No. 38,587

(212) 408-2588

Robert L. Maier

PTO Reg. No. 54,291

(212) 408-2538

Attorneys for Applicants

BAKER BOTTS L.L.P. 30 Rockefeller Plaza New York, NY 10112